

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

UNITED STATES OF AMERICA,  
Plaintiff,

v.

BETTY MILLER,  
Defendant.

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Docket No. 2:17-MJ-106

**MOTION FOR DETENTION**

NOW COMES the United States of America, by and through its attorney, Christina E. Nolan, United States Attorney for the District of Vermont, and moves for pretrial detention of the above-named defendant pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility for Detention. This defendant is eligible for detention because the case involves a serious risk of obstruction of justice or threats to witnesses or jurors. 18 U.S.C. §3142(f)(2)(B). Ms. Miller presents a danger to the community that cannot be addressed with release conditions.

2. Reason For Detention. As the affidavit in support of the complaint sets forward, Ms. Miller is alleged to have attempted to poison a number of individuals at her previous residence. There is ample reason to believe that the threat of a federal criminal charge could cause her to take action against potential witnesses or jurors.

The Court should detain the defendant because there are no conditions of release which will reasonably assure the safety of the community. Ms. Miller's crime was carefully planned. She researched plant-based toxins and prepared at least one extremely dangerous substance in the quiet comfort of her apartment. She relied on instructions from the internet and used, at least

in part, natural substances to make her poison. By her own admission, she administered those substances to other residents in order to test their efficacy. While she has indicated her ultimate intent was to hurt herself, she demonstrated a callous disregard for the lives of others in the process.

A search of Ms. Miller's residence yesterday revealed ricin and bottles labeled "yew seeds," "foxglove leaves," "castor beans," "apple seeds," and "cherry seeds," all of which could be used to produce further harmful substances. Health Department testing of one individual Miller admitted to poisoning came back positive for the presence of ricin.

As described in a 2010 Congressional Research Service report, ricin is "a potent plant toxin found in the seeds of the castor plant" which "works by blocking cell protein synthesis, which results in cell death. This cell death can lead to organ failure and death." *See* Congressional Research Service Report, *Ricin: Technical Background and Potential for Use in Terrorism*, Dec. 21, 2010, available at <https://www.hsdl.org/?view&doc=136392&coll=documents>.

Based on the information currently available, it appears even the most stringent of release conditions would not ensure Ms. Miller does not prepare further dangerous substances and/or attempt to harm those around her. Ms. Miller indicated in her interview with law enforcement both an intent to harm herself and a willingness to hurt others in the process of doing so. Absent further information about her mental state and present intentions, the Court cannot create conditions adequate to protect Ms. Miller and those around her from harm.

3. Rebuttable Presumption. There is no applicable presumption under § 3142(e).

4. Time For Detention Hearing. The United States requests a three day continuance to collect further information that may bear on the detention hearing as permitted by 18 U.S.C. §3142(f). Ms. Miller should be detained pending such further proceedings.

Dated at Burlington, in the District of Vermont, December 1, 2017.

Respectfully submitted,

CHRISTINA E. NOLAN  
United States Attorney

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